

FILED
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 SUSAN Y. SOONG
 CLERK, US DISTRICT COURT
 NO. DIST. OF CA.

Ronald Cupp
 150 Raley Town Center Ste 2512
 Rohnert Park, California [94928]
 Telephone: (707) 974-4816
 Plaintiff In Pro Per

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA**

Ronald Cupp

Plaintiff,

vs.

SETH FEINBERG

Defendant.

) CASE NO: 3:15-CV-³⁰¹⁰~~0310~~ (MMC)
) Judge: Hon Maxine M. Chesney

)
) **PLAINTIFF'S MOTION TO EXTEND**
) **TIME Fed.Civ.R 6(b)(B)**
) **FOR EXCUSABLE NEGLECT**
) **FOR TIME TO FILE CASE**
) **MANAGEMENT STATEMENT AND**
) **RESET CASE MANAGEMENT**
) **CONFERENCE**

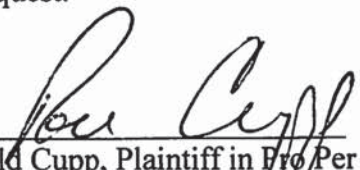
Comes now, Plaintiff timely to move this honorable court pursuant to Fed.Civ.R. 6(b)(B), Fed.Civ.R.7(b)¹, Plaintiff was to file his Case Management Statement by September 25, 2015 and to have the Case Management Conference on October 2, 2015 at 10:30 AM in Courtroom 7, by order of the Court. Plaintiff now will timely request the Case Management Statement by October 16, 2015 and Requests the Case management Conference to be set for Friday October 23, 2015.

¹ Rule 6. Computing and Extending Time; Time for Motion Papers
 (b) Extending Time.

(B) on motion made after the time has expired if the party failed to act because of excusable neglect.

1 Plaintiff has been waiting for confirmation of service of the summons and complaint by
2 the U.S. Marshalls Service. The U.S. Marshalls Service told Plaintiff September 29, 2015 service
3 will be imminent.

4 Attached hereto and incorporated herein by reference is a brief in support of this motion
5 to extend time, with a detailed prayer for specific relief request.

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9 Ronald Cupp, Plaintiff in Pro Per
10 150 Raley Town Center Ste 2512
11 Rohnert Park, California
12 707-483-7689

13
14 **PLAINTIFF'S MOTION TO EXTEND TIME**
15 **NOTICE OF HEARING**
16 Fed.Civ. R.7

17 Unless this court deems, otherwise this hearing date for said Motion will be set for
18 hearing on Friday, October 23, 2015 at 9 am and a response hereto will be set for (7) days prior
19 to hearing.

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22 Ronald Cupp, Plaintiff Pro Per

23 **BRIEF IN SUPPORT OF PLAINTIFF'S MOTION TO EXTEND TIME**

24 Plaintiff timely brings this motion to extend time to file his Case Management Statement
25 by October 16, 2015 and to have the Case Management Conference on October 23, 2015 as
26 ordered by the court.

27 This Motion is timely, not meant to delay nor cause any prejudice or harm to another
28 party.

ARGUMENT IN LAW

Fed.Civ.R. 6(bF(B)) states:

1 Computing and Extending Time; Time for Motion Papers; (b) Extending Time; (B) on
2 motion made after the time has expired if the party failed to act because of excusable neglect.

3 Plaintiff is waiting for the U.S. Marshalls service to effectuate service of the summons
4 and complaint on the Defendant.

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6 PRAYER

7 Plaintiff respectfully moves this Honorable Court to grant Plaintiff's Motion to Extend time
8 because of excusable neglect as a "matter of law".

9 September 30, 2015

Respectfully Submitted

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12 Ronald Cupp, Plaintiff in Pro Per
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PROOF OF SERVICE

The undersigned declares as follows:

I am a resident of the County of Sonoma, State of California, and at the time of service I was over 18 years of age and not a party to this action. My address is

11041 Main Street #511238, Penngrove California

On October 1, 2015 I served the following document (s) described as:

PLAINTIFF's MOTION TO EXTEND TIME

I served the documents on the persons below, as follows:

Seth Feinberg
1000 Broadway #200H
Oakland, CA 94607

 X **(BY MAIL)** I placed said document(s) in a sealed envelope, with postage thereon fully prepaid for first class mail, and placed such envelope in the United States mail at Sonoma County, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: October 1, 2015 at Rohnert Park, California.

Elias Stavrinides
(Type or Print Name of Declarant)


(Signature of Declarant)